

Message Text

PAGE 01 USUN N 01144 000059 Z

66

ACTION IO-13

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-14 USIA-12

AF-10 ARA-11 EA-11 EUR-25 NEA-10 COA-02 EB-11 OIC-04

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 CEQ-02

RSR-01 /239 W

----- 076748

R 312319 Z MAR 73

FM USMISSION USUN NY

TO SECSTATE WASHDC 7265

UNCLAS USUN 1144

E. O. 11652: N/A

TAGS: PBOR, UN

SUBJ: LOS: SUBCOMMITTEE I WORKING GROUP: MARCH 29

1. WG APPROVED WITHOUT DEBATE ARTICLE XVII (DUE REGARD TO RIGHTS, ETC., OF COASTAL STATES), INCLUDING FOLLOWING ALTERNATIVE TEXTS FOR SECOND PARAGRAPH PREPARED BY INFORMAL WG:

A) NEITHER THESE ARTICLES NOR ANY RIGHTS GRANTED OR EXERCISED PURSUANT THERETO SHALL AFFECT THE RIGHT OF COASTAL STATES TO TAKE SUCH MEASURES AS MAY BE NECESSARY TO PREVENT, MITIGATE OR ELIMINATE GRAVE AND IMMINENT DANGER TO THEIR COASTLINE OR RELATED INTERESTS FROM POLLUTION OR THREAT THEREOF OR FROM OTHER HAZARDOUS OCCURRENCES RESULTING FROM OR CAUSED BY ANY ACTIVITIES IN THE AREA.

B) ANY STATE FACING GRAVE AND IMMINENT DANGER FROM POLLUTION OR THREAT OF POLLUTION, FOLLOWING UPON A HAZARDOUS INCIDENT OR ACTS RELATED TO SUCH AN INCIDENT IN THE AREA, WHICH MAY REASONABLY BE EXPECTED TO RESULT IN MAJOR UNCLASSIFIED

PAGE 02 USUN N 01144 000059 Z

HARMFUL CONSEQUENCES FOR THAT STATE, MAY TAKE SUCH MEASURES AS MAY BE NECESSARY TO PREVENT, MITIGATE OR ELIM-

INATE SUCH DANGER SUBJECT TO THE PROVISIONS OF THIS CONVENTION. MEASURES TAKEN IN ACCORDANCE WITH THIS SUBPARAGRAPH SHALL BE PROPORTIONATE TO THE DAMAGE WHICH THREATENS THE STATE CONCERNED AND SHALL NOT GO BEYOND WHAT IS REASONABLY NECESSARY TO ACHIEVE THE OBJECTIVE REFERRED TO IN SUB- PARAGRAPH.

2. WG APPROVED NEW ARTICLE ON ARCHEOLOGICAL AND HISTORICAL OBJECTS.

3. MOST OF DEBATE WAS DEVOTED TO ARTICLE ON FREE ACCESS TO AREA FOR LANDLOCKED STATES. INFORMAL WG HAD PREPARED FOLLOWING TEXT:

" LANDLOCKED STATES (AND OTHER GEOGRAPHICALLY DIS-ADVANTAGED STATES) SHALL HAVE (THE RIGHT OF) FREE ACCESS TO AND FROM THE AREA (IN ORDER TO ENABLE THEM TO DERIVE BENEFITS, IN ACCORDANCE WITH THE PROVISIONS OF THIS CONVENTION FROM THE AREA AND ITS RESOURCES)."

4. IRAN INSISTED THAT WORK " FREE" BE BRACKETED IN TITLE. THIS RESULTED IN ARGUMENT OVER TITLE (FREE ACCESS) WITH CZECHOSLOVAKIA AND UKRAINE ARGUING IT BE CHANGED TO ELIIMINATE " FREE." WG ADOPTED TITLE " ACCESS TO AND FROM AREA."

5. NIGERIA ASKED THAT FIRST LINE OF ARTICLE BEGIN:
" LANDLOCKED, LIKE ANY OTHER STATES..." THERE FOLLOWED LONG DEBATE AS TO WHETHER THERE WAS EFFORT TO WATERDOWN RIGHTS OF LANDLOCKED STATES. USSR REP OBJECTED TO EFFORT TO ABROGATE LANDLOCKED STATES RIGHTS AND PROMISED HE WOULD MAKE STATEMENT ON THIS ISSUE AT APPROPRIATE TIME. NIGERIAN PROPOSAL WAS SUPPORTED BY MALTA, IRAQ, AND GREECE, AND OPPOSED BY ALGERIA, SENEGAL, AND MADAGASCAR.

6. IRAQ WHICH HAD PROPOSED PHRASE " GEOGRAPHICALLY DIS-ADVANTAGED STATES" SUGGESTED THIS BE REPLACED BY " SHELF LOCKED STATES."

7. MOROCCAN REP, WHO HAS NOT PARTICIPATED IN WG PROCEEDINGS, UNCLASSIFIED

PAGE 03 USUN N 01144 000059 Z

STATED THAT HIS DELEGATION HAD SPONSORED DRAFT ARTICLES ON NAVIGATION THROUGH TERRITORIAL SEA AND STRAITS AND HE PROPOSED FOLLOWING FOOTNOTE TO ARTICLE: " THE VIEW WAS EXPRESSED THAT ACCESS TO THE ZONE AND EGRESS FROM THE ZONE MUST BE CARRIED OUT WITHOUT PREJUDICE TO THE PRINCIPLE OF INNOCENT PASSAGE AS APPLICABLE TO PASSAGE IN THE TERRITORIAL SEA."

8. US REP STATED THAT IF MOROCCO INSISTED ON KEEPING FOOT-

NOTE, US WOULD ADD NEW SENTENCE: " THE VIEW WAS ALSO
EXPRESSED THAT THE PRINCIPLE OF INNOCENT PASSAGE IS INCOM-
PATIBLE WITH THE PRINCIPLE OF FREE ACCESS." SPAIN, BRAZIL
AND IRAN SUPPORTED MOROCCAN PROPOSAL. IRAQ OPPOSED FOOT-
NOTES ON THIS ISSUE, BUT IN ESSENCE SUPPORTED RIGHT
OF STATE TO BALANCE FOOTNOTE. UK AND USSR SUPPORTED
IRAQ SUGGESTION TO DELETE FOOTNOTES. ISSUE WAS LEFT
UNRESOLVED AT CLOSE OF SESSION.
SCHAUFLE

UNCLASSIFIED

<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 02 APR 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 31 MAR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973USUNN01144
Document Source: ADS
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: n/a
From: USUN NY
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730347/abqcdyae.tel
Line Count: 120
Locator: TEXT ON-LINE
Office: n/a
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: cunninfx
Review Comment: n/a
Review Content Flags:
Review Date: 10 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <10-Sep-2001 by maustmc>; APPROVED <04 MAR 2002 by cunninfx>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: SUBCOMMITTEE I WORKING GROUP: MARCH 29
TAGS: PBOR, UN
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005